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March 3, 2011

Senator Andrew M. Maynard
Representative Tony Guerrero
Members of the Transportation Committee
Legislative Office Building
Room 3000
Hartford, CT 06106-1591

Dear Senator Maynard, Representative Guerrero and Members of the Transportation Committee:

I want to take this opportunity to thank you for raising and urge you to support SB 824 and SB 825 to fix a serious permitting issue at the State Traffic Commission (STC) and to bring to your attention an example we encountered with SeaSpray, our affordable housing project in East Lyme.

SeaSpray is a 108 unit condominium project located adjacent to the Rocky Neck connector, Exit 72, off I-95. SeaSpray was approved under PA 830g whereby 15% of the units must be affordable by households earning 80% of median income and another 15% must be affordable by households earning 60% of median income. The remaining 70% of the units are at market rates. Some details are available on our website.

<http://resc.com/seaspray/index.php> The actual building site is located in a nearly built-out light industrial/commercial park.

After taking nearly 2 years and \$200,000 to design, engineer, and obtain all of the approvals we thought were necessary to begin construction, we were told we needed to get an STC permit. We thought that was strange, since there was an existing STC permit for the entire industrial park and our traffic impact was less than the already allowed industrial use. Nonetheless, STC insisted that since there was a zone change, a new permit was triggered. Since our impact was clearly less than what was already allowed we thought it would be routine. STC agreed our traffic impact was, indeed, less than already approved. However, they now wanted a new extensive drainage study that would take considerable time and money. Fortunately, we discovered that the DOT recently did its own drainage study in conjunction with a major improvement to the drainage structures and road at the intersection of Route 156 (where the Rocky Neck Connector terminates) and the road servicing the industrial park. After much "negotiation" STC finally agreed that the State drainage study was satisfactory. But that is not the end of the saga.

At the time the entire industrial park initially received approval, STC required a left hand turning lane for cars heading eastward on RT 156 (then a 2 lane state highway) and turning into the industrial park. To encourage the industrial park development, the town of East Lyme agreed to construct the new turning lane. It did not. However, when DOT made the drainage improvements, it widened RT 156 from the intersection with the Rocky Neck

Connector, eastward past the intersection to the industrial park, to 4 lanes, 2 in each direction. **DOT did not construct a left turning lane.**

The STC then said "we want our left turning lane". The town said there has never been a traffic incident at this intersection and we are not going to spend our citizens' tax dollars on something that we see as unnecessary. We attempted to work out a re-striping scheme. DOT agreed, but the town said "no" believing that might lead to confusion and perhaps accidents. DOT said "put in a fifth lane" and we did at a cost of over \$200,000.

Even that is not the end of the story. Before STC would issue a permit and allow construction to begin on the project, (The local building department is prohibited from issuing a building permit until the builder has an STC permit.) we had to obtain a Sloping Easement from the property owner adjacent to the new fifth lane even though there is no slope or intrusion on that property. We promptly obtained the easement, a simple 1 page document, and hand-carried it to STC expecting to be handed our permit in exchange. Not so fast, it would be put on the pile, looked at, and acted upon in due course. In the mean time, we had an army of subcontractors, suppliers, and tradesmen on the sidelines waiting to begin work while this process was unfolding.

We did eventually get the STC permit, the fifth lane was constructed, and the condominiums are built, sold and occupied.

If you are ever in the area, I invite you to go to the end of the Rocky Neck Connector, turn left, and view a piece of highway that goes from 2 lanes to 5 lanes and back again to 2 lanes in less than 1,000 feet. While you are there, use the new left hand turning lane and go into the industrial park and visit SeaSpray at the top of the hill. I think you will agree, it is an outstanding example of what an affordable housing community should be. See if you can pick out the "affordable" units.

So, who is hurt by this endless bureaucracy? Everybody. Certainly, we the builder along with our subcontractors, suppliers and their employees (Mostly taxpaying Connecticut citizens) are affected by unnecessary delays and costs. Families who might otherwise be able to own their own home are denied that opportunity. Many, including our children and grandchildren, are choosing to relocate to another part of the country where housing costs are more affordable in relation to income. Others, who cannot move, are living in substandard or unsuitable conditions.

The profit margins are very thin on projects built under sec. 8-30g. A \$200,000 unnecessary surprise coupled with extensive delays can easily make a project unsuccessful and discourage a private developer from attempting it again. One would and should expect a more cooperative and understanding attitude from our public agencies.

This is only one of the many obstacles that our industry faces every day. Your interest, involvement, guidance and leadership are greatly appreciated.

Sincerely



Robert C. Fusari Sr., President